

#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Patent Application of: Samuel Yin Lun Pun, et al.

Serial Number: 09/888,222

Art Unit: 2644

Filed: June 22, 2001

Examiner: Unknown

For: JAPANESE LANGUAGE ENTRY MECHANISM FOR SMALL KEYPADS

Box: Missing Parts
Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

February 7, 2002

Dear Sirs:

I, JAMES D. IVEY, certify that this Paper and the listed enclosed documents, a check for \$130, and return postcard, are being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, addressed to Box: Issue Fee, The Honorable Assistant Commissioner for Patents, Washington, D.C. 20231 on February 7, 2002.


James D. Ivey, Reg. No. 37,016

PETITION UNDER 37 C.F.R. § 1.47

Pursuant to 37 C.F.R. § 1.47, applicants hereby respectfully submit the referenced application on behalf of the nonsigning inventor, Wallace Ritchie, whose last known address is: 2 Lazy Eight Drive, Daytona Beach, Florida 32124. Enclosed are following documents as proof of our diligent effort to reach the nonsigning inventor:

1. On December 5, 2001, a search was conducted on the internet for area codes for Daytona Beach, Florida and called (352) 555-1212 for directory assistance; we were informed that Wallace Ritchie's number is unpublished. Copy of search results is enclosed – 1 page;
2. On December 6, 2001, another search was conducted on the internet (www.whitepages.com) for Wallace Ritchie's telephone number but did not come up with one that matched his last known home address. Copy of search results is enclosed – 2 pages;
3. On December 6, 2001, a letter was sent to the inventor at his last known home address via First Class Mail enclosing a Declaration and an Assignment for his signature. Copy of letter is enclosed – 2 pages;

4. On January 14, 2002, an email message was sent to all other inventors for any contact information they may have for Wallace Ritchie; unfortunately, no one had any current information. Copy of email message is enclosed – 1 page;
5. On January 15, 2002, a letter and documents were resent to Wallace Ritchie at his last known home address via Express Mail label no. ET606330267US along with a self-addressed return Express Mail envelope label no. ET606336253US - postage prepaid on corporate account. Copy of letter is enclosed – 2 pages;
6. On January 29, 2002, tracked Express Mail label no. ET606330267US on the United States Postal Service website (www.usps.com) and confirmed that the item was delivered in Daytona Beach, FL 32128 on January 17, 2002 and was signed for by W Richie. Copy of tracking results is enclosed – 1 page; and
7. On February 7, 2002, tracked Express Mail label no. ET606336253US on the United States Postal Service website (www.usps.com) and confirmed that there is no record of the item with that express mail number. Copies of Express Mail label no. ET606336253US and tracking results are enclosed – 2 pages.

Thus, Applicants' undersigned attorney has attempted through various avenues to present Mr. Ritchie with the requisite Declaration and to have the Declaration executed by Mr. Ritchie. Mr. Wallace Ritchie has not responded to any attempted contact and therefore appears to be refusing to cooperate in the filing and prosecution of the above-identified Patent Application. Accordingly, Applicants hereby petition under 37 C.F.R. § 1.47 to prosecute this Application notwithstanding refusal of Mr. Wallace Ritchie to participate.

A check in the amount of \$130.00 is enclosed for fees under 37 C.F.R. § 1.17(h) as specified in 37 C.F.R. § 1.47(a).



RITCHIE

Serial Number: 09/888/222
 Petition Under 37 C.F.R. §1.47
 Supporting Document No. 1



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12/5/2001 called 352-555-1212 but
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Serial Number: 09/888/222
Petition Under 37 C.F.R. §1.47
Supporting Document No. 2

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Deltona, FL 32738
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Ritchie, W L
911 Cimarron Cir
Bradenton, FL 34209
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Ritchie, W P
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Ritchie, W and S
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JAMES D. IVEY
3025 TOTTERDELL STREET
OAKLAND, CALIFORNIA 94611-1742
(510) 336-1100
FAX: (510) 336-1122

COPY

December 6, 2001

Wallace Ritchie
2 Lazy Eight Drive
Daytona Beach, Florida 32124

RE: U.S. Patent Application for "Japanese Language Entry Mechanism for Small Keypads"
Filed: June 22, 2001
Serial Number: 09/888,222
Inventor(s): Samuel Yin Lun Pun, et al.
Our Reference: P-2177

Dear Wallace Ritchie:

I enclose a copy of the referenced patent application, for which you are one of the inventors, as filed in the U.S. Patent and Trademark Office on June 22, 2001. I also enclose, for your review and signature, a Declaration for Patent Application and Assignment for the referenced patent application.

Please review the enclosed patent application prior to signing the enclosed Declaration and Assignment. Once you have reviewed the enclosed patent application, please thoroughly review, sign and date, in blue ink, the enclosed Declaration and Assignment. Please return the signed Declaration and Assignment to me as soon as possible. You may keep the enclosed patent application for your records. **However, I remind you that the enclosed patent application includes proprietary information of Zi Corporation and should be held in strict confidence.**

Your signatures on the enclosed Declaration and Assignment refers to the referenced patent application as is. If you believe that the patent application should be amended, please call me to discuss such amendments. If you have any questions or comments regarding the enclosed documents, please do not hesitate to contact me.

I would like to take this opportunity to discuss legal requirements regarding disclosure of information material to the referenced patent application. We are required by law to bring to the attention of the U.S. Patent and Trademark Office any information of which we are aware and which is material to the referenced patent application. Information can be material if the information (i) predates the filing of the referenced patent application, (ii) is publicly known and (iii) describes your invention or something close to your invention. Examples of such information can include, for example, other patents, printed publications (books, trade journals, newspaper articles, data sheets, sales brochures, etc.), public uses of your invention, or offers to sell your invention.

Currently, we intend to include the following information in the Information Disclosure Statement.

My records indicate that we are aware of no potentially material information.

If you are aware of any additional potentially material information, please provide that information to me at your earliest convenience.

Wallace Ritchie
Page 2
December 6, 2001

Serial Number: 09/888/222
Petition Under 37 C.F.R. §1.47
Supporting Document No. 3

In addition, the obligation to provide such information to the Patent Office is a continuing obligation. Therefore, if potentially material information comes to your attention in the future, please provide that information to me soon after the information comes to your attention.

For your convenience, you can respond to this letter by writing your initials by either of the following two selections and returning this sheet to me for my records by First Class Mail.

____ I am not aware of any additional information which is potentially material to the referenced U.S. Patent Application.

____ All additional information of which I am aware and which is potentially material to the referenced U.S. Patent Application is attached (total number of enclosed references: ____).

Please sign and return the Declaration for Patent Application and the Assignment documents, and this sheet with your initials by First Class Mail no later than December 20, 2001.

If you have any questions or comments, please do not hesitate to contact me.

Best regards,


James D. Ivey

JDI/tba
Enclosures

cc: Kang S. Lim, Esq. (without Encl.)
IP Counsel
Zi Corporation

COPY

T. Brigitte Abalos

FEB 26 2002

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Serial Number: 09/888/222
Petition Under 37 C.F.R. §1.47
Supporting Document No. 4

From: T. Brigitte Abalos [brigitte@iveylaw.com]
Sent: Monday, January 14, 2002 3:02 PM
T : 'kzeng@zicorp.com'; 'cxu@zicorp.com'; 'rodell@zicorp.com'; 'spun@zicorp.com'
Cc: 'jim@iveylaw.com'; 'mita@iveylaw.com'
Subject: Information on Some Inventors (P-2177)

Dear Inventors:

Happy New Year!

Pl ase advise if you have contact information (email or telephone number) for Vanessa Sherr and Wallace Ritchie.

Thanks and regards,
Brigitte Abalos

LAW OFFICES OF
JAMES D. IVEY
3025 TOTTERDELL STREET
OAKLAND, CALIFORNIA 94611-1742
(510) 336-1100
FAX: (510) 336-1122

Serial Number: 09/888/222
Petition Under 37 C.F.R. §1.47
Supporting Document No. 5

VIA: Express Mail Label No. ET606330267US

ET 606330267 US

January 15, 2002

Wallace Ritchie
2 Lazy Eight Drive
Daytona Beach, Florida 32124

RE: U.S. Patent Application for "Japanese Language Entry Mechanism for Small Keypads"
Filed: June 22, 2001
Serial Number: 09/888,222
Inventor(s): Samuel Yin Lun Pun, et al.
Our Reference: P-2177

COPY

Dear Wallace Ritchie:

In reference to my letter of December 6, 2001, I enclose once again a copy of the referenced patent application, for which you are one of the inventors, as filed in the U.S. Patent and Trademark Office on June 22, 2001. I also enclose, for your review and signature, a Declaration for Patent Application and Assignment for the referenced patent application.

Please review the enclosed patent application prior to signing the enclosed Declaration and Assignment. Once you have reviewed the enclosed patent application, please thoroughly review, sign and date, in blue ink, the enclosed Declaration and Assignment. Please return the signed Declaration and Assignment to me as soon as possible. You may keep the enclosed patent application for your records. **However, I remind you that the enclosed patent application includes proprietary information of Zi Corporation and should be held in strict confidence.**

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I would like to take this opportunity to discuss legal requirements regarding disclosure of information material to the referenced patent application. We are required by law to bring to the attention of the U.S. Patent and Trademark Office any information of which we are aware and which is material to the referenced patent application. Information can be material if the information (i) predates the filing of the referenced patent application, (ii) is publicly known and (iii) describes your invention or something close to your invention. Examples of such information can include, for example, other patents, printed publications (books, trade journals, newspaper articles, data sheets, sales brochures, etc.), public uses of your invention, or offers to sell your invention.

Currently, we intend to include the following information in the Information Disclosure Statement.

My records indicate that we are aware of no potentially material information.

Wallace Ritchie
Page 2
January 15, 2002

Serial Number: 09/888/222
Petition Under 37 C.F.R. §1.47
Supporting Document No. 5

If you are aware of any additional potentially material information, please provide that information to me at your earliest convenience.

In addition, the obligation to provide such information to the Patent Office is a continuing obligation. Therefore, if potentially material information comes to your attention in the future, please provide that information to me soon after the information comes to your attention.

For your convenience, you can respond to this letter by writing your initials by either of the following two selections and returning this sheet to me for my records by First Class Mail.

____ I am not aware of any additional information which is potentially material to the referenced U.S. Patent Application.

____ All additional information of which I am aware and which is potentially material to the referenced U.S. Patent Application is attached (total number of enclosed references: ____).

Please sign and return the Declaration for Patent Application and the Assignment documents, and this sheet with your initials by First Class Mail no later than January 25, 2001 using the enclosed self-addressed stamped Express Mail envelope label no. ET606330253US.

If you have any questions or comments, please do not hesitate to contact me.

Best regards,

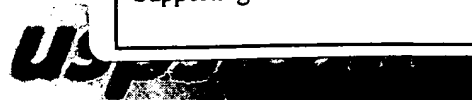


James D. Ivey

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cc: Kang S. Lim, Esq. (without Encl.)
IP Counsel
Zi Corporation

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Letter dated Jan. 15, 2002 sent to W. Ritchie
w/ copy of application as filed, Declaration,
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		Atty. Docket: P-2177	
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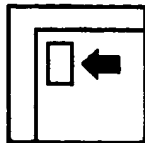


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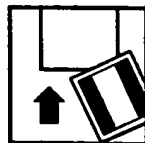
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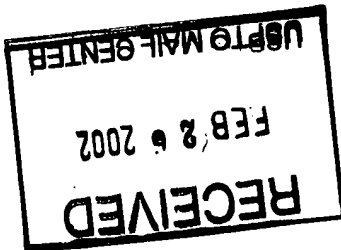
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